Chicago & Paducah Railroad History Excerpted from LeBaron's 1878 History of Livingston County Book on pages 280-281

Transcribed by: Dale C. Maley
Transcription Date: May 13, 2025

The road now known as the Chicago & Paducah has a local history, it being a Livingston County corporation. In 1865, Mr. Samuel L. Fleming, of Pontiac, a man who had spent a small fortune in railroading, drew, and got passed by the Legislature, a charter for a railroad from Ottawa to Fairbury. The corporators named in the charter were S. C. Ladd, B. P. Babcock, Samuel L. Fleming, Nelson Buck. Jonathan Duff, Wm. Strawn, R. B. Harrington, S. C. Crane, John Dehner, Walter Cornell, M. E. Collins, Ralph Plumb, Enoch Lundy, David McIntosh, H. L. Marsh, W. G. McDowell, J. W. Strevell, I. B. Tyler, and Wm. B. Lyon.

In 1867, the charter was amended so that the road might run anywhere northerly and southerly of Pontiac—that point being retained. The name, however, in the charter was retained. Under the impetus given to railroad building by the "grab law" of 1869, the company was formed, M. E. Collins being elected President and S. S. Lawrence, Secretary.

The townships of Indian Grove, Avoca, Eppard's Point, Owego, Pontiac, Amity and Newtown issued bonds, and with these in hand the Fairbury, Pontiac & Northwestern Company made a contract with Col. Ralph Plumb, of Streator, Col. W. H. W. Cushman, of Ottawa, and David Strawn, to build and equip the road, transferring to them all the bonds and issuing the stock to them, so that when built it became theirs.

In this contract was a stipulation that the parties of the second part would never transfer the road to the Chicago & Alton R. R. Co.; the intent being, of course, to keep this a competing road. They built the road from Streator through this county, pushing it south through Ford, Champaign, Piatt, Moultrie, Shelby and Effingham Counties to Altamont.

Its stations in this county are Newtown, Cornell Rowe, Pontiac, McDowell, Lodemia, Fairbury. Murphy's and Strawn. It connects at Streator with the Ottawa branch of the Chicago, Burlington & Quincy. It has forty-one miles of track in the county.

Comments by Dale C. Maley – Fairbury Historian

Nelson Buck was a Pontiac surveyor who led a group of young Pontiac boys on a surveying expedition to southern Nebraska in 1869. All of the Buck surveying party, except two young Pontiac boys, were massacred by the Sioux Native American tribe. For more details, see the book by Dale C. Maley titled ***The Massacre of the Nelson Buck Party from Pontiac, Illinois.***

John Dehner's house in Pontiac is now the oldest brick house in Pontiac and is named the Jones House. It is on the National Register of Historic Places. For more details, see the book by Dale C. Maley titled ***The Story of the Jones House in Pontiac, Illinois.***

Henry Marsh and his father, John Marsh, discovered coal in Fairbury and Marsh Park in Fairbury is named after them. John Marsh's house still stands at the southwest corner of Marsh Park.

Jason Strevell entertained Abraham Lincoln for an afternoon and evening at his house in Pontiac. This house is now called the Strevell House and is on the National Register of Historic Places. For more information, see the book by Dale C. Maley titled ***Abraham Lincoln and the Strevell Family of Pontiac, Illinois.***

1869 Grab Law

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The 1869 Railroad "Grab Law" in Illinois

The so-called "railroad grab law" of 1869 in Illinois refers to a legislative act, formally known as the Lake Front Act, passed by the Illinois General Assembly on April 16, 1869. This law granted the Illinois Central Railroad Company extensive rights to a significant portion of the submerged lands along the Chicago lakefront, specifically in the harbor area of Lake Michigan[1][2][3].

Key Provisions and Context

- The 1869 act gave the Illinois Central Railroad Company "appropriation, occupancy, use and control" of a large section of the lakebed, stretching from present-day West Randolph Street south to Twelfth Street, and from South Michigan Avenue east into Lake Michigan[1].
- The grant covered over 1,000 acres of submerged land used by the public for navigation, commerce, and fishing[2].
- The intent behind the law was to encourage the development of a new train depot, an outer harbor, and improved parks for Chicago residents, as well as to promote commercial growth[1].
- The railroad company claimed that the act gave it fee simple title to the land, allowing it to build and operate infrastructure extending into the waters of Lake Michigan[3][2].

Public Backlash and Repeal

- The law quickly became controversial due to public suspicion of railroad monopolies and the perception that a valuable public resource was being handed over to a private corporation.
- In 1873, facing political pressure and negative public opinion, the Illinois legislature repealed the grant, effectively revoking the railroad's rights to the submerged lands[1].

Legal Aftermath: Illinois Central Railroad v. Illinois

- The conflict led to the landmark Supreme Court case *Illinois Central Railroad Co. v. Illinois* (1892), where the State of Illinois challenged the railroad's claim to the lakefront lands[3][1][2].
- The Supreme Court ruled that the state holds submerged lands under navigable waters in trust for the public and cannot permanently alienate them to private parties, as this would compromise public use rights[3][1].
- The Court found the 1869 grant invalid to the extent that it purported to transfer comprehensive rights over a significant portion of the lake bed, affirming the state's authority to protect public interests by repealing the grant[3].

Why It Was Called a "Grab Law"

- The term "grab law" was used by critics to describe the act as a legislative "grab" of public resources for the benefit of a private corporation, reflecting widespread concerns about the influence of railroads and the loss of public control over valuable land[1].

Summary Table

Aspect	Description
Name	Lake Front Act of 1869 ("Railroad Grab Law")
Grantee	Illinois Central Railroad Company
Land Involved	Over 1,000 acres of submerged lakebed in Chicago harbor
Purpose	Railroad infrastructure, harbor development, parks
Public Response	Strong opposition, seen as a giveaway to private interests
Legislative Outcome	Repealed in 1873 due to controversy

Legal Legacy	Led to *Illinois Central Railroad Co. v. Illinois* and the public trust doctrine

Historical Significance

The 1869 railroad grab law is a foundational episode in American legal history, shaping the public trust doctrine and the limits of state authority to transfer public resources to private entities[3][1][2].

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1. https://en.wikipedia.org/wiki/Illinois_Central_Railroad_Co._v._Illinois
2. https://www.quimbee.com/cases/illinois-central-railroad-co-v-illinois
3. https://studicata.com/case-briefs/case/illinois-central-railroad-v-illinois/